IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 2028 OF 2006

Johnson & Johnson Employees' Union ... Petitioners

V/s.

Commissioner of Labour And Ors. ... Respondents

Mr. Arshad Shaikh with Mr. Sanjay Udeshi i/b. Sanjay Udeshi & Co. for the petitioner.
Mr. J.P. Cama, Sr. Counsel with Mr. Ganesh Shetty i/b. Crowford Bayley & Co. for the respondent No.2.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED : 29th August, 2006

P.C.

. It is grievance of the petitioner that though they have raised a dispute before respondent No. 1 is not taking steps to initiate conciliation proceeding.

2. The petitioners earlier were contending that they were employees of M/s. Johnson & Johnson Ltd. and not of respondent No.3. The Industrial Court held against them. The learned Single Judge, where the petition was filed, has rejected the contention. Appeal preferred before the learned Division Bench has been dismissed. The SLP filed has been withdrawn. In other words, the contention of the respondent No. 4 that Johnson & Johnson Limited is their employer stands concluded.

3. On behalf of the petitioners, the learned counsel submits that the order was taken by playing fraud on the Court. It is not for this Court to go into that issue. The petitioners are at liberty to take steps which they may be entitled to. If the matter is before the Conciliation Officer, the Conciliation Officer is bound to proceed according to law. Considering the earlier order of this Court, this would not be a fit case to exercise our extra-ordinary jurisdiction.

4. The present petition stand dismissed.

5. Parties to act on the authenticated copy.

[F.I. REBELLO, J.]

[ANOOP V. MOHTA, J.]